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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,418	11/16/2001	Rudolf Farkas	455610-2500	8543

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EXAMINER

DU, THUAN N

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,418

Applicant(s)

FARKAS, RUDOLF

Examiner

Thuan N. Du

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Drawings (dated 2/12/02).
2. Claims 1-20 are presented for examination.

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Figs. 2, 3 and 10 are too dark. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Compact Disc Submission

4. The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(4)). Accordingly, applicant is required to cancel the computer program listing appearing in the specification on pages 22-40, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c)

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and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Donnelly et al. [Donnelly] (U.S. Patent No. 6,100,885).

7. Regarding claim 1, Donnelly teaches a system substantially as claimed comprising:
means for storing a value (property value) [col. 9, line 57; col. 11, lines 1-2];
means for changing said value [col. 9, lines 1-3; col. 11, lines 1-2, 27-28]; and
means for attaching to another item that need to be notified of a change of said value [col. 4, line 66 to col. 5, line 2].

8. Regarding claim 2, Donnelly teaches that the value is an allowed range of values (value within a list) [col. 10, lines 28-49].

9. Regarding claim 3, Donnelly teaches that the value is a requested value (requested or selected by a user) [col. 10, lines 28-49; col. 14, lines 63-65].

10. Regarding claim 4, Donnelly teaches that the value is an adapted value [abstract].

11. Regarding claim 5, Donnelly teaches the system further comprises means for storing attributes [col. 7, lines 18-20].

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12. Regarding claim 6, Donnelly teaches that the adapted value is constrained to stay within the allowed range that corresponds to physical limits (value within a list) [col. 10, lines 28-49].

13. Regarding claim 7, Donnelly teaches that the adapted value corresponds to optimal use [col. 5, lines 25-32].

14. Regarding claim 8, Donnelly teaches that the requested value corresponds to corresponding to capabilities [col. 5, lines 25-32].

15. Regarding claim 9, Donnelly teaches that the value may change dynamically [col. 17, line 62 to col. 18, line 2].

16. Regarding claim 10, Donnelly teaches that the value may depend on the state of other internal variables [col. 17, line 62 to col. 18, line 2].

17. Regarding claims 11-20, since they recite method of operating of the apparatus defined in the apparatus claims, they are rejected accordingly based on the rejection of the apparatus claims.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (703) 308-6292 (after 10/14/04, (571) 272-3673). The examiner can normally be reached on Monday-Friday: 9:00 AM - 5:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159 (after 10/14/04, (571) 272-3670).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

The fax number for the organization is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Thuan N. Du', with a long horizontal flourish extending to the right.

Thuan N. Du
September 29, 2004